



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Wendy Del Rosa
Co-Chairperson
Alturas Rancheria
Post Office Box 340
Alturas, California 96101

MAY 30 2014

RE: U.S. EPA Indian Environmental General Assistance Program
GA-00T12801-1
Application Due: JUL 7 2014

Dear Co-Chairperson Del Rosa:

I am pleased to inform you that your proposal submitted to this office under the U.S. Environmental Protection Agency's Indian Environmental General Assistance Program (GAP) has been tentatively approved for funding. At this time, I am setting aside \$208,650 (includes indirect) of funding to support core GAP activities for one year, \$1,750 to purchase a laptop computer and \$1,500 for legal fees. Since funding for first-year GAP grants is set at \$75,000 (per regulation), we were unable to provide sufficient funds to cover indirect costs associated with your current grant. There is a possibility we will be able to make up for that shortfall by providing an additional \$112,500 in your pending grant amendment. The total potential funding amount is \$324,400. Please reflect that amount in your application.

Work plan submission, negotiation, and approval will be conducted electronically in GAP Online. The comments attached here for your reference are also available in GAP Online. If we receive your complete application and revised work plan by the due date we will make every effort to award the grant by September 30, 2014. This funding will support work plan activities from October 1, 2014 to September 30, 2015. Please do not incur any costs under this work plan until the official grant award document has been signed and dated by the EPA Award Official. Any costs incurred before the date of award will not be reimbursed.

This letter does not constitute a grant award. In order to receive funding, the Alturas Rancheria will need to complete an Application for Federal Assistance (SF-424). **The complete application, including an updated work plan, must be submitted for EPA review by the due date indicated above.** Materials can be submitted earlier and will be processed on a first come, first served basis.

The EPA is moving towards electronic submission of all grant applications through <http://www.grants.gov>. The implementation of an electronic approach will ensure a faster and less costly method for grantees when submitting applications to the Grants Management Office. This funding cycle your application materials may still be submitted by using **one** of the following methods:

1. Electronic submission using Grants.gov (Preferred method):

If you wish to apply for your assistance agreement electronically via Grants.gov, go to: <http://www.grants.gov> and click on the "Get Registered" on the left side of the page. *Note that the registration process may take 3-5 business days to complete.*

To begin the application process, click on "Apply for Grants" tab on the left side of the page" then click on "Download a Grant Application Package." You may retrieve the application package and instructions by entering the EPA-R9-001 Funding Opportunity Number in the space provided and then click on the GAP Catalog of Federal Domestic Assistance Number (CFDA), 66.926.

In addition to attaching a copy via Grants.gov, a work plan must be submitted in GAP Online with the attached comments incorporated. The work plan may not include any activities that have been or will be funded under any other agreements.

2. Electronic submission via email to the Region 9 Electronic Mailbox:

The application kit with instructions for completing all of the necessary forms may be downloaded at the following web site: <http://www.epa.gov/region09/funding/applying.html>. Scan the completed materials, attach a copy of the final work plan submitted in GAP Online, and email them to GrantsRegion9@epa.gov, and copy your GAP Project Officer. Please include "Federal Funding Application – General Assistance Program" as the subject line.

3. Paper Submission:

An original and one copy of each complete application package and a copy of the final work plan submitted in GAP Online submitted to:

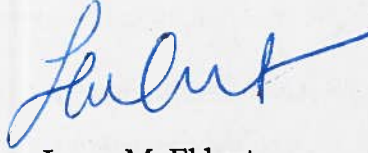
Grants Management Office (MTS-7)
Management and Technical Services Division
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

In completing your application, enter the GAP Catalog of Federal Domestic Assistance Number (CFDA), required in box #11 on the SF-424A application form, 66.926.

Since there may have been changes to various EPA assistance regulations, please remember to obtain a copy of the Code of Federal Regulations (CFR), Title 40, Parts 1-49. This CFR is updated every July 1 and includes the Chapter I, Subchapter B which are regulations applicable to your cooperative agreement. The CFR is available through the Internet at the following address:
<http://www.epa.gov/region09/funding/before.html>

I look forward to working with you and your staff under the General Assistance Program. Questions regarding the completion of the application forms should be referred to Fareed Ali, Grants Management Specialist, at (415) 972-3665. You can also contact your GAP Project Officer, Tim Wilhite, at (530) 841-4577 if you have questions regarding this letter, the work plan or the General Assistance Program.

Sincerely,



Laura M. Ebbert
Manager
Tribal Section

Enclosures

Work plan Comments

cc: Creig Marcus, Environmental Director (with work plan comments)
Wayne Smith, Tribal Administrator

GAP 2014-2015 WORK PLAN and BUDGET COMMENTS

Alturas Rancheria

Thank you for developing an outcome-oriented work plan. These comments pertain to the 2014-2015 work plan that was submitted with your GAP proposal in January 2014. They are intended to help strengthen the Rancheria's GAP work plan, identify possible assistance, and ensure the work plan meets GAP guidelines. Some of the following information is for your general reference and some is specific to the proposed work plan. Please ensure applicable comments are addressed in your final GAP work plan.

GENERAL DEFINITIONS AND REFERENCES

1. The following references are useful for understanding GAP in general, for getting a feel for environmental outcomes, etc.

2013 Guidance on the Award and Management of General Assistance Program Agreements and Appendix I, Guidebook for Building Tribal Environmental Program Capacity

<http://www.epa.gov/region09/funding/pdfs/tribal-gap14/fy2014-r9-gap-guidance.pdf>

GAP Act (<http://www.epa.gov/Indian/pdfs/4368b.pdf>)

2014 GAP Grant Notification (<http://www.epa.gov/region09/funding/tribal-gap.html>)

EPA Strategic Plan (<http://www2.epa.gov/planandbudget/fy-2014-2018-strategic-plan>)

2. Environmental outcomes should be expressed in terms of improvements to public health, the environment, or human behavior. They can also reflect improved tribal capacity to protect public health or the environment. Intermediate outcomes could reflect a) improved human health or environmental conditions, b) reduced risks to human health or the environment c) increased tribal capabilities in legal, enforcement, technical, communication, or administrative areas. Long-term outcomes could include attainment of desired environmental conditions (e.g., water quality standards are met) or human health goals, or attainment of desired capacity to plan, develop, implement, manage and sustain tribal environmental programs.

3. Regarding Indirect Costs:

EPA will allow IDC costs to be budgeted for grants when indirect cost rates have been approved within the preceding three fiscal years. When IDC rates are not current at the time of grant award, a term and condition will be used to require the Rancheria to notify EPA and refund any overfunded amounts

BUDGET COMMENTS

- Please ensure your final budget totals to \$324,400 and your budget break down shows how all costs are derived. The Rancheria did not originally request indirect costs for their 2013-2014 GAP grant or show indirect costs in their 2014-2015 proposal budget. However, our policy is to provide indirect costs to tribes, at rates negotiated by their cognizant agency. We spoke with Mr. Marcus and he confirmed Alturas would like to receive indirect costs.
- For the 2014-2015 grant cycle, we are offering support for one full time Director, a quarter time technician, and \$4,375 for travel. Please ensure your application budget reflects those levels of support under the personnel and travel line items.

WORK PLAN COMMENTS

General Comments

1. Some commitment descriptions need more detail. Please ensure each commitment indicates **why** the Tribe has proposed each activity and **who** will need to do **what, where, when** and **how often** to complete proposed activities. This type of information helps quantify the level of effort (work years and other costs) required to complete commitments, which in turn helps project officers determine if identified costs appear reasonable. Build this type of information into each of your commitment descriptions.
2. EPA Region 9 has adopted a Greening Grants Policy which encourages grantees to carry out their EPA grant-funded projects in a greener way. Your Project Officer will work with you to determine whether it is feasible to incorporate green practices into your work plan. The Greening Grants Policy includes an attachment which describes many useful green practices. The policy furthers the objectives of EPA's 2011-2015 Strategic Plan. The link to *Greening Grants Policy* is on the Region 9 website at <http://www.epa.gov/region9/funding/greening-grants.html>
3. Please list all indicators that apply to each component, under the *measures* field. Feel free to retain your lists of specific indicators associated with each commitment. That approach still seems to make sense. The indicators that have been provided with each commitment appear to be on target.

Component 1. Management of Environmental Office

- This component is also commonly titled "Grant and Program Administration" or something similar. It is meant to focus mostly on administrative activities such as developing progress reports, attending Council meetings, providing required grant forms, tracking expenditures, etc. Commitments that focus on plans and inventories, ordinances, etc. are typically housed in other Components. Please consider moving those types of commitments to other components.

Commitment 1.1 We are offering support for a quarter time technician. Please adjust the estimated commitment cost accordingly. The outputs/deliverable should include a position description and job announcement (if applicable). Please speak with your EPA Clean Water Act representative o request sample "no polluting" ordinances and to otherwise learn what types of ordinances are required in order for tribes to receive CWA funding.

Commitment 1.2 We recommend developing a stand-alone *Codes and Ordinances* component to house this type of commitment. That sort of component could also house commitments that involve any legal review.

Commitment 1.3 We recommend developing a stand-alone *Travel and Training* component to house commitments that describe anticipated training and (or) travel activities. Consider developing individual training plans for each employee within the first three weeks of your pending grant. The training plans would help ensure Rancheria training activities focus on skills or information that has the most benefit to employees and the Rancheria. Without delivering a training plan, indicator B.2.3. cannot be achieved.

Commitment 1.4 Portions of a Joint Evaluation process are missing. Please see Attachment F from the notification to ensure that the work plan contains a process in which EPA and the Tribe together evaluate the successes of the Tribe under GAP. The attachment

can be found at: <http://www.epa.gov/region9/funding/pdfs/tribal-gap/2013AttachF-GenAssistProgProgrsRptg.pdf>

Commitment 1.5 This activity looks good.

Commitment 1.6 This commitment looks swell. Consider looking into the US Fish and Wildlife Service Tribal Wildlife Grant as well.

Component 2. Financial Management

- Please combine this component with component 1. It deals with grant administration.

Component 3. Pollution Prevention (Recycling)

- GAP funds cannot be used to operate or maintain recycling programs or other waste management elements for the Tribe or their businesses. However, GAP funds can be used to develop tribal waste management plans, goals, policies, etc. The funds can also be used to track tribal progress ensuring their government operations and their businesses adhere to waste management plans and policies. However, there is a distinction on how GAP funding can be applied to tribal businesses versus tribal buildings or operations. GAP funds can be used to conduct waste stream assessments (for example) and establish waste management programs in tribal buildings. In contrast, the funds can only be used to advise tribal businesses how to conduct waste stream assessments (for example) and establish waste management programs. If you have any questions about the differences in how GAP funds can be applied to tribal business versus tribal buildings or operations, please call your project officer.
- EPA Support: EPA supports the development of tribal solid waste management and pollution prevention programs, including green building efforts. If you have any questions regarding these programs please contact the EPA Region 9 Tribal Solid Waste Team: <http://www.epa.gov/region09/waste/tribal/index.html#contact>. Visit our websites for other available resources: <http://www.epa.gov/region09/waste/tribal> and <http://www.epa.gov/region9/greenbuilding/index.html>.

Commitment 3.1 The Tribe cannot use GAP funds to establish recycling or other waste management programs for the Casino. However, the Rancheria can advise the Casino on how to conduct a waste stream assessment and develop recycling and other desired waste management elements that are outlined in the Rancheria's Integrated Solid Waste Management Plan. Please re-write this commitment, to make it clear GAP funds will be used to advise the Casino.

Commitment 3.2 This activity looks good.

Component 4. Water Quality Monitoring

- Consider changing the component title to something like "Develop a Water Quality Program," and adding commitments to indicate the Rancheria will prepare a financial eligibility application for CWA grants, apply for a CWA 106 grant, educate staff and Council about the Safe Drinking Water Act, etc.

Commitment 4.1 The commitment includes drinking water elements and wetland/restoration elements. Develop the slough/wetland element under a separate commitment, providing more detail to indicate who the Rancheria will contact for assistance, etc.

Component 5. Education and Outreach

- Please consider developing an outreach and education plan, which could be embedded in the Rancheria's EPA Tribal Environmental Plan (ETEP). Alturas is still new to GAP and an outreach plan could help identify their highest priorities for educating members and other locals.

Commitment 5.1 Please clarify whether one or two workshops are proposed.

Commitment 5.2 This type of activity is usually described under a *Consultation and Coordination* or similar component. It does not fit that well under an Education and Outreach Component. Consider creating a separate *Consultation and Coordination* component and moving this commitment there. It appears Alturas will be developing four intergovernmental MOUs under this commitment, which sounds like a significant undertaking. The Rancheria may want to consider scaling this activity back, to some degree.

